



Minutes

Lakewood City Council

Regular Meeting held
January 27, 2004

MEETING WAS CALLED TO ORDER at 7:33 p.m. by Mayor Esquivel in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Reverend Bill Cox, Emmanuel Church of Lakewood

PLEDGE OF ALLEGIANCE was led by Council Member Robert G. Wagner

ROLL CALL: PRESENT: Mayor Joseph Esquivel
Vice Mayor Todd Rogers
Council Member Wayne Piercy
Council Member Larry Van Nostran
Council Member Robert Wagner

ANNOUNCEMENTS AND PRESENTATIONS:

Debbie Esparza, Executive Director of the Girl Scout Council of Greater Long Beach, presented a brief overview of their programs, noting that there were currently 50 troops in the Lakewood service unit with more than 800 girls as members.

Mayor Esquivel introduced Mr. Paul Bennett from New South Wales, Australia, who was visiting Lakewood through an International City Managers' Association program.

ROUTINE ITEMS:

Council Member Wagner requested that Routine Item 8 and the December 9, 2003 minutes be considered separately.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7, 9 AND 10.

RI-1 Approval of Minutes of the Meetings held November 18, November 25, and December 23, 2003

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated December 11, December 18, December 23, and December 31, 2003, January 8, and January 15, 2004

ROUTINE ITEMS: Continued

RI-4 RESOLUTION NO. 2004-2; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 7 A.M. AND 12 P.M. ON TUESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF ALBURTIS AVENUE BETWEEN LOS COYOTES BOULEVARD AND THE NORTHERLY CUL DE SAC

RESOLUTION NO. 2004-3; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING RESOLUTION NO. 89-19 FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF VERNE AVENUE BETWEEN 212TH STREET AND THE NORTHERLY CUL DE SAC

RI-5 Approval of Monthly Report of Investment Transactions

RI-6 Approval of Quarterly Schedule of Investments

RI-7 Review of City Investment Policy

RI-9 Approval of Encroachment Permit for Del Amo Boulevard

RI-10 Approval Grant of Water Pipeline Easement

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

RI-8 Approval of Participation in Coalition for Practical Regulation (CPR)

Council Member Wagner congratulated CPR for its successful support of litigation to require the Regional Water Quality Control Board to re-evaluate its requirements and their associated costs. He also noted decisions by both the Congress and the Regional Water Quality Control Board that would mandate that the gutter in front of each residence was part of a navigable U.S. waterway.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE ROUTINE ITEM 8. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

RI-1 Approval of Minutes of the Meeting held December 9, 2003

ROUTINE ITEMS: Continued

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE THE DECEMBER 9, 2003 MINUTES. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:300

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran and Esquivel

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: Wagner

1.1 • DENSITY BONUSES IN THE MFR ZONE

Director of Community Development, Chuck Ebner, presented an oral report based on the memorandum in the agenda packet and reported that during the approval process for Lakewood's Housing Element, the California Department of Housing and Community Development (HCD) had required that the City's municipal code be amended to include provisions for density bonuses consistent with State law. The proposed ordinance, which was based on the HCD model ordinance, had been reviewed by the Planning and Environment Commission and had been found to have no significant effect on the environment. It was the recommendation of the Planning and Environment Commission that the City Council hold a public hearing, introduce the proposed ordinance and approve the Negative Declaration.

ORDINANCE NO. 2004-1; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO DENSITY BONUSES, LAKEWOOD, CALIFORNIA

Council Member Piercy commended the Planning and Environment Commission for their work on the ordinance but expressed concern that such mandates from HCD were stripping away local controls.

Council Member Wagner, noting that the model ordinance was the HCD interpretation of State law, questioned the minimum square footage for target units and target unit open space. Mr. Ebner responded by stating that the minimum square footage for target units was based upon Lakewood's current minimum standard for senior housing. Assistant Planner Paul Kuykendall provided the square footage numbers for the target unit and non-target unit open space areas, noting that common open space would be provided by the non-target units.

Council Member Wagner expressed concern about the resale or rental of target units and inquired if such provisions were included within the ordinance. Mr. Ebner responded by stating that since any project subject to density bonuses would require a development agreement, resale and rental provisions could be included therein.

1.1 • DENSITY BONUSES IN THE MFR ZONE - Continued

City Attorney John S. Todd advised that the City could probably restrict target units to owner occupation only or restrict rental only to qualified low-income tenants and that such provisions could be contained in either the ordinance or a development agreement.

Council Member Wagner stated that he felt the issue was important enough that it should be part of the ordinance.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO REFER THE PROPOSED ORDINANCE BACK TO THE PLANNING AND ENVIRONMENT COMMISSION. THERE BEING NO OBJECTION, IT WAS SO ORDERED.

1.2 • EMERGENCY SHELTERS

The Community Development Director presented an oral report based on the memorandum in the agenda packet and reported that during the approval process for Lakewood's Housing Element, the California Department of Housing and Community Development (HCD) had required that the City's municipal code be amended to include provisions for the establishment of emergency shelters. The proposed ordinance, which contained a definition of and development standards for emergency shelters, had been reviewed by the Planning and Environment Commission and had been found to have no significant effect on the environment. It was the recommendation of the Planning and Environment Commission that the City Council hold a public hearing, introduce the proposed ordinance and approve the Negative Declaration.

ORDINANCE NO. 2004-2; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO EMERGENCY SHELTERS, LAKEWOOD, CALIFORNIA

Vice Mayor Rogers noted that the proposed ordinance did not address parking for the mobile homeless living out of a vehicle. Mr. Ebner stated that the vehicle parking provisions in the ordinance had been intended to provide for the staff of the emergency shelter and had not taken the mobile homeless into consideration. He noted that an emergency shelter use required the issuance of a Conditional Use Permit and additional parking provisions could be required through that process.

Vice Mayor Rogers stated that he felt those type of provisions should be contained within the ordinance and that he would like to see numbers supported by statistics from operating shelters.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER WAGNER SECONDED TO REFER THE PROPOSED ORDINANCE BACK TO STAFF.

1.2 • EMERGENCY SHELTERS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

1.3 • AWARD OF BID FOR PURCHASING BID 03-5, PARKING CITATION SYSTEM

Larry Schroeder, Director of Finance, presented an oral report based on the memorandum in the agenda packet and stated it was necessary to replace the current parking citation system, which was more than 15 years old and incompatible with Windows-based technology. The Purchasing Officer solicited formal bids for a replacement system and received three responses. Following analysis of the bids, it was the recommendation of staff that the City Council authorize the purchase of a Parking Citation System from T2 Systems, Inc. in the amount of \$72,806.23 and additional process systems to enhance the system performance totaling \$15,220.77 from select vendors, and appropriate \$88,027 from the General Fund for the purchase. He noted that working closely with the vendor to fine tune the system could reduce costs.

Mayor Esquivel opened the public hearing at 8:08 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE STAFF'S RECOMMENDATION AND AUTHORIZE THE EXPENDITURES. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

2.1 • SUPPORT FOR LOCAL TAXPAYERS AND PUBLIC SAFETY PROTECTION ACT

Assistant City Manager Michael Stover presented an oral report based on the memorandum in the agenda packet and reported that the Intergovernmental Relations Committee had reviewed the Local Taxpayers and Public Safety Protection Act, an initiative for the November 2004 statewide ballot. The proposed act would require voter approval before the sales tax, property tax or vehicle license fee revenues of cities, counties or special districts could be reduced. The initiative would also clarify the State's duty to reimburse costs of mandated programs. He noted that according to State law, the City could not spend funds to support the initiative, but could take a position for or against.

2.1 • LOCAL TAXPAYERS AND PUBLIC SAFETY PROTECTION ACT - Continued
Council Member Wagner stated that the State Legislature seemed to look on local funds as a way for the State to recover when they spend too much. He noted that the new Governor's budget included diversions of local funds, at a time when very few local agencies have any excess to accommodate more cuts. He concluded by stating that it was time to take a stand and let the electorate decide.

RESOLUTION NO. 2004-4; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD SUPPORTING THE LOCAL TAXPAYERS AND PUBLIC SAFETY PROTECTION ACT

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTION NO. 2004-4. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel
NAYS: COUNCIL MEMBERS: None

2.2 • ZONE CHANGE CASE NO. 107, 5505 CARSON STREET

ORDINANCE NO. 2003-9; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE ZONING MAP OF THE CITY OF LAKEWOOD BY CHANGING THE ZONING FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL) ON PROPERTY LOCATED AT 5505 CARSON STREET, LOTS 20, 25 AND 26 OF TRACT 13000, LAKEWOOD, CALIFORNIA, DESIGNATED AS ZONE CHANGE CASE NO. 107 was read by title by the City Clerk.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2003-9. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel
NAYS: COUNCIL MEMBERS: None

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT ORDINANCE NO. 2003-9. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel
NAYS: COUNCIL MEMBERS: None

2.3 • SPECIFIC PLAN FOR 5505 CARSON STREET

ORDINANCE NO. 2003-10; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE BELLFLOWER/CARSON SPECIFIC PLAN was read by title by the City Clerk.

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2003-10. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO ADOPT ORDINANCE NO. 2003-10. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

3.1 • 2004 STATEMENT OF INTERGOVERNMENTAL GOALS AND PRIORITIES

The Assistant City Manager presented an oral report based on the memorandum in the agenda packet and reported the Intergovernmental Relations Committee had reviewed and made recommendations for intergovernmental relations goals and priorities for 2004. He briefly reviewed the goals from the previous year and their status and presented the proposed 2004 priorities. It was the recommendation of the Committee that the City Council adopt the 2004 Statement of Intergovernmental Relations Goals.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE THE INTERGOVERNMENTAL RELATIONS GOALS FOR 2004 AS PRESENTED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

3.2 • AMENDMENT TO AGREEMENT FOR JOB TRAINING COORDINATION

Council Member Wagner requested that this item be carried over to the next meeting.

3.3 • APPROVAL OF AGREEMENT WITH COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT FOR STATION REMODEL PROJECT

City Manager Howard Chambers presented an oral report based on the memorandum in the agenda packet and reported that staff had been working closely with the Los Angeles County Sheriff's Department to secure funding for the Sheriff Station Remodel Project. He advised that an agreement had been negotiated which would provide the remaining \$3.4 million necessary for the project. The City would advance the needed funds and the Sheriff's Department would make quarterly payments beginning in the third year of the five-year agreement. It was the recommendation of staff that the City Council approve an agreement with the County of Los Angeles for the funding to the Sheriff Station Remodel Project subject to approval as to form by the City Attorney.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER WAGNER SECONDED TO APPROVE STAFF'S RECOMMENDATION.

Vice Mayor Rogers affirmed his support of the project, but advised that as an executive with the Los Angeles County Sheriff's Department, he would abstain from voting on this item.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Van Nostran, Wagner and Esquivel
NAYS: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: Rogers

WRITTEN COMMUNICATIONS:

CORRESPONDENCE FROM CITY OF SANTA FE SPRINGS REGARDING PROPOSITION A LOCAL RETURN FUNDS

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE THE REQUEST OF THE CITY OF SANTA FE SPRINGS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel
NAYS: COUNCIL MEMBERS: None

At 8:33 p.m., the Regular Meeting of the City Council was recessed for the Meetings of the Lakewood Redevelopment Agency and the Lakewood Public Financing Authority. At 8:37 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 8:37 p.m. to Tuesday, February 10, 2004, at 5:30 p.m. in the Executive Board Room.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk